

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

CASE # 1:19-cr-10063-DJC

RANDALL CRATER,

Defendant.

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**MOTION TO EXTEND DEADLINES FOR FILING PRE-TRIAL MOTIONS**

COMES NOW the Defendant through his attorney, Ray E. Chandler, Esquire, who would move the Court to extend the dates from filing pre-trial motions set in the Court's Order of June 1, 2020. Counsel would show that he has conferred with the Government in advance of submitting this motion as required in the Local Rules. The Government has assented to counsel's request for an enlargement of time.

In the event the Court deems it necessary, Counsel would request a status conference to further discuss the details regarding this request.

The Defendant does not object to the trial of this case being held beginning October 13, 2020 absent further Covid-19 delays that cannot be anticipated at this time.

On May 22, 2020, late Friday afternoon, Defendant's Counsel was provided with a detailed Expert Report rendered by the Government's Cyber expert. It was not until the week following the Memorial Day weekend that Defendant's expert was able to receive and begin reviewing the report. Today undersigned Counsel received notice, identified as Exhibit 1, from his expert that is attached as Declaration of David J. White, who is a member in good standing of the Massachusetts Bar.

Defendant's expert will not be in a position to render his opinion until July 18, 2020. This is 11 days after the deadline for filing Motions in Limine. Defendant will rely on this report to file Motions in Limine and prepare its defense to the issues raised by the Government. Counsel would require this time to be adequately prepared for trial on October 13, 2020.

Counsel today has received notice that his law partner and her five month old child have tested positive for Covid-19. Counsel is now quarantined for at least 14 days. He will be unable to meet with his client. This meeting was scheduled for June 19, 2020.

The Defendant is not incarcerated. The Defendant has previously consented to deducting this time up to October 13<sup>th</sup> from computations in the Speedy Trial Act.

Defendant, therefore, requests that the deadline for filing Motions in Limine be extended until July 24, 2020 and all other pre-trial motions be extended accordingly.

June 19, 2020

Respectfully submitted,

/s/ Ray Chandler  
SC Bar #1183  
U.S. District Bar #93  
Attorney for Defendant Randall Crater  
8 South Brooks Street, P.O. Box 10  
Manning, SC 29102  
(803)566-7744

# EXHIBIT 1

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

**Case No. 19-cr-10063**

RANDALL CRATER,

defendant.

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**DECLARATION OF DAVID J. WHITE**

1. I am a Director in the Investigations, Disputes and Risk practice group and co-lead of the global Cybersecurity practice group at AlixPartners LLP.
2. AlixPartners provides consulting and business advisory services in a variety of computation-intensive fields, including both criminal and civil litigation and government investigations, computer forensics, and restructuring and bankruptcy services. Notable recent engagements for the firm have included support for the restructurings of General Motors and serving as Claims Agent to the Trustee for the Bernard L. Madoff Investment Securities LLC (BLMIS) where we assisted in the forensic reconstruction of books and records. AlixPartners is a global firm with over 2000 professionals on three continents.
3. I have provided computer forensics consultancy and related expert witness services to government agencies, Fortune 100 corporations and their attorneys for over 25 years. I hold a Juris Doctorate (JD) from Vermont Law School and a Master of Laws (LL.M.) from the University of London and have earned a BA in Philosophy from Salve Regina University. I have been a registered attorney in good standing in both Massachusetts since 2001 and California since 2010.

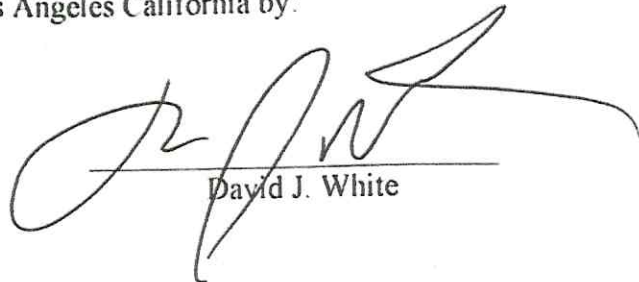
4. In my professional career I have lead hundreds of computer forensic investigations, and have developed specialized expertise in digital forensics, cryptography, and cryptocurrency. I have been deemed a Certified Cryptocurrency Forensic Investigator by the McAfee Institute, a professional certification body which administers several board certifications for the cyber, intelligence and investigative sectors for private investigators and law enforcement officers across the globe.
5. I routinely publish and present at professional conferences around the globe on the topics relating to digital evidence, computer forensics and cryptocurrency forensics. For example, I recently presented on the topic of asset recovery in global cryptocurrency fraud cases at the Korea University Law School in Seoul. Earlier this year I also lead a training seminar on cryptocurrency forensics in Miami, Florida for the US Federal Bureau of Investigation which was attended by more than 500 FBI Special Agents and Analysts.
6. I am a long-time member of the High Technology Crime Investigation Association (HTCIA), and the American Society of Digital Forensics & eDiscovery (ASDFED). I am also an Infrastructure Liaison Officer in the U.S. FBI InfraGard program, and member of to their Cyber Finance Working Group (CFWG).
7. As a result of my skill, experience, training, and education I have expert knowledge in the areas of cryptocurrencies. financial fraud, and digital forensics.
8. AlixPartners has been retained by the Defendant, Randall Crater, and I have been asked to provide my opinion as to reasonable timeline for presenting an expert report in support of his defense.



9. The defendant has been accused of executing a scheme to defraud investors by soliciting investments in a blockchain based cryptocurrency called “My Big Coin.” The allegations include, *inter alia*, making misrepresentations to investors and prospective investors about the innerworkings of the subject cryptocurrency such as: that it was backed by valuable assets including millions of dollars in gold, that the Coins were a functioning virtual currency.
10. The Defendant holds considerable hard copy documentation and other information in his possession that may need to be reviewed in person for this task.
11. We also understand that over one thousand pages of materials have been produced by the parties to date, significant portions of which will also need to be reviewed and digested, along with at least three years of business records, cryptocurrency transactions, and related promotional and marketing materials.
12. Further compounding this task is the geographic dispersion of the Defendant, his Counsel, and the AlixPartners team, who are all in different States, coupled with the present pandemic’s travel restrictions, and social distancing requirements.
13. Despite being first contacted in March of this year by the Defendant, the unique circumstances of the COVID 19 pandemic have precluded any in person meetings to date.
14. Despite the obstacles we stand ready to proceed immediately. Yet, given the scope of the task and the added complexities described above, I believe the required time to conduct a sufficient review of information and to draft a corresponding expert report to be 30 calendar days from today.

15. Pursuant to 28 U.S.C § 1746(2), I declare under penalty of perjury that my statement here is true and correct.

Signed this day, June 18, 2020, in Los Angeles California by:

  
David J. White

SWORN TO BEFORE ME THIS  
\_\_\_\_ DAY OF JUNE, 2020.

In the attached reading  
Notary Public for California

My Commission Expires: \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 18  
day of June, 2020, by David J. White

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature S. Farzam

**CERTIFICATE OF SERVICE**

I, Ray Chandler, Esquire, attorney for Defendant, Randall Crater, do hereby certify that a true and correct copy of the foregoing was duly served on the United States by filing same on the Court's CM/ECF filing system which electronically serves all attorneys and parties of record, this 19th day of June 2020.

/s/ Ray Chandler, Esq.